

**U.S. District Court  
Eastern District of California – Live System (Fresno)  
CIVIL DOCKET FOR CASE #: 1:20-cv-01587-DAD-BAM**

Board of Trustees of the Bakery and Confectionery Union and Industry  
International Pension Fund v. United States Bakery, et al.  
Assigned to: District Judge Dale A. Drozd  
Referred to: Magistrate Judge Barbara A. McAuliffe  
Cause: 29:1381 E.R.I.S.A.

Date Filed: 11/10/2020  
Date Terminated: 04/22/2021  
Jury Demand: None  
Nature of Suit: 791 Labor: E.R.I.S.A.  
Jurisdiction: Federal Question

**Plaintiff**

**Board of Trustees of the Bakery and  
Confectionery Union and Industry  
International Pension Fund**

represented by **Elisabeth Oppenheimer , PHV**  
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V.

**Defendant**

**United States Bakery**

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**Defendant**

**Mountain States Bakeries LLC**

represented by **Steven M. Wilker**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Central California Baking Company**

represented by **Steven M. Wilker**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/10/2020	<u>1</u>	COMPLAINT against all Defendants. Attorney McDonough, Katherine Ann added. (Filing fee \$ 400, receipt number 0972-9235954) (Attachments: # <u>1</u> Civil Cover Sheet)(McDonough, Katherine) (Entered: 11/10/2020)
11/10/2020	<u>2</u>	CORPORATE DISCLOSURE STATEMENT by Plaintiff Board of Trustees of the Bakery and Confectionery Union and Industry International Pension Fund. (McDonough, Katherine) (Entered: 11/10/2020)
11/12/2020	<u>3</u>	SUMMONS ISSUED as to *Central California Baking Company, Mountain States Bakeries LLC, United States Bakery* with answer to complaint due within *21* days. Attorney *Katherine Ann McDonough* *Kraw and Kraw* *605 Ellis Street, Suite 200* *Mountain View, CA 94043*. (Rivera, O) (Entered: 11/12/2020)
11/12/2020	<u>4</u>	CIVIL NEW CASE DOCUMENTS ISSUED: <i>Initial Scheduling Conference set for 2/16/2021 at 08:30 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe.</i> (Attachments: # <u>1</u> Standing Order, # <u>2</u> Standing Order re Judicial Emergency, # <u>3</u> Order re Consent, # <u>4</u> VDRP) (Rivera, O) (Entered: 11/12/2020)
12/08/2020	<u>5</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Board of Trustees of the Bakery and Confectionery Union and Industry International Pension Fund for attorney JOSHUA B. SHIFFRIN to appear Pro Hac Vice. (Filing fee \$ 225, receipt number 0972-9290990)

(McDonough, Katherine) (Entered: 12/08/2020)

12/09/2020	<u>6</u>	PRO HAC VICE ORDER signed by Magistrate Judge Barbara A. McAuliffe on 12/9/2020. Added attorney Joshua B. Shiffrin, PHV for Board of Trustees of the Bakery and Confectionery Union and Industry International Pension Fund. Application for Pro Hac Vice <u>5</u> is GRANTED. (Jessen, A) (Entered: 12/09/2020)
12/17/2020	<u>7</u>	WAIVER of SERVICE RETURNED EXECUTED: Waiver sent to United States Bakery on 11/24/2020, Answer due 1/25/2021 (McDonough, Katherine) (Entered: 12/17/2020)
12/17/2020	<u>8</u>	WAIVER of SERVICE RETURNED EXECUTED: Waiver sent to Mountain States Bakeries LLC on 11/24/2020, Answer due 1/25/2021 (McDonough, Katherine) (Entered: 12/17/2020)
12/17/2020	<u>9</u>	WAIVER of SERVICE RETURNED EXECUTED: Waiver sent to Central California Baking Company on 11/24/2020, Answer due 1/25/2021 (McDonough, Katherine) (Entered: 12/17/2020)
01/18/2021	<u>10</u>	CERTIFICATE of SERVICE by Board of Trustees of the Bakery and Confectionery Union and Industry International Pension Fund. (McDonough, Katherine) (Entered: 01/18/2021)
01/18/2021	<u>11</u>	CERTIFICATE of SERVICE by Board of Trustees of the Bakery and Confectionery Union and Industry International Pension Fund. (McDonough, Katherine) (Entered: 01/18/2021)
01/21/2021	<u>12</u>	STIPULATION for Extension of Time by Central California Baking Company, Mountain States Bakeries LLC, United States Bakery. Attorney Wilker, Steven M. added. (Wilker, Steven) (Entered: 01/21/2021)
01/21/2021	<u>13</u>	STIPULATION and PROPOSED ORDER for Continuing Mandatory Scheduling Conference by Central California Baking Company, Mountain States Bakeries LLC, United States Bakery. (Wilker, Steven) (Entered: 01/21/2021)
01/21/2021	<u>14</u>	CORPORATE DISCLOSURE STATEMENT by Defendants Central California Baking Company, Mountain States Bakeries LLC, United States Bakery. (Wilker, Steven) (Entered: 01/21/2021)
01/25/2021	<u>15</u>	<b>ORDER</b> re Stipulation to CONTINUE Mandatory Scheduling Conference. The Scheduling Conference currently set for 2/16/2021, is <b>CONTINUED to 3/16/2021, at 09:30 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe</b> . At least one (1) full week prior to the conference, the parties shall file a Joint Scheduling Report. The parties shall appear at the conference with each party connecting remotely either via Zoom video conference or Zoom telephone number. The parties will be provided with the Zoom ID and password by the Courtroom Deputy prior to the conference. The Zoom ID number and password are confidential and are not to be shared. Appropriate court attire required. Order signed by Magistrate Judge Barbara A. McAuliffe on 1/25/2021. (Timken, A) (Entered: 01/25/2021)
01/26/2021	<u>16</u>	PRO HAC VICE APPLICATION and PROPOSED ORDER submitted by Board of Trustees of the Bakery and Confectionery Union and Industry International Pension Fund for attorney Elisabeth Oppenheimer to appear Pro Hac Vice. (Filing fee \$ 225, receipt number 0972-9380733) (McDonough, Katherine) (Entered: 01/26/2021)
01/28/2021	<u>17</u>	PRO HAC VICE ORDER, signed by Magistrate Judge Barbara A. McAuliffe on 1/28/2021. Added attorney Elisabeth Oppenheimer, PHV for Board of Trustees of the Bakery and Confectionery Union and Industry International Pension Fund. (Martin-Gill, S) (Entered: 01/28/2021)
02/22/2021	<u>18</u>	MOTION to DISMISS by Central California Baking Company, Mountain States Bakeries LLC, United States Bakery. Motion Hearing set for 4/6/2021 at 09:30 AM in Courtroom 5 (DAD) before District Judge Dale A. Drozd. (Wilker, Steven) (Entered: 02/22/2021)
02/22/2021	<u>19</u>	MEMORANDUM by Central California Baking Company, Mountain States Bakeries LLC, United States Bakery in SUPPORT of <u>18</u> Motion to Dismiss. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u>

Exhibit, # 4 Exhibit)(Wilker, Steven) (Entered: 02/22/2021)

02/23/2021	<u>20</u>	MINUTE ORDER signed by District Judge Dale A. Drozd on 2/23/2021: (Text Only Entry) The parties are advised that pursuant to General Order No. 617, addressing the public health emergency posed by the coronavirus (COVID-19) outbreak, <b><u>all civil motions set for hearing before District Judge Dale A. Drozd will be decided on the papers.</u></b> The parties should not contact Judge Drozd's chambers to inquire about whether a hearing on a pending motion will be held. If the court determines that a hearing is necessary, the court will issue an order to specially set the motion for hearing by telephone or video conference. In accordance with Judge Drozd's Standing Order in Light of Judicial Emergency in the Eastern District of California, the hearing date selected by the movant will continue to govern the deadlines for opposition and reply briefs pursuant to Local Rule 230(c). (Thorp, J) (Entered: 02/23/2021)
03/05/2021	<u>21</u>	STIPULATION and PROPOSED ORDER for Continuing Mandatory Scheduling Conference re <u>15</u> Order,,, Set/Reset Deadlines and Hearings,,, by Board of Trustees of the Bakery and Confectionery Union and Industry International Pension Fund. (Shiffrin, Joshua) (Entered: 03/05/2021)
03/08/2021	<u>22</u>	STIPULATION TO CONTINUE MANDATORY SCHEDULING CONFERENCE AND ORDER, signed by Magistrate Judge Barbara A. McAuliffe on 03/08/2021. (Scheduling Conference set for 6/16/2021 at 09:00 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe)(Martin-Gill, S) (Entered: 03/08/2021)
03/08/2021	<u>23</u>	MOTION to CHANGE VENUE by Central California Baking Company, Mountain States Bakeries LLC, United States Bakery. Motion Hearing set for 4/6/2021 at 09:30 AM in Courtroom 5 (DAD) before District Judge Dale A. Drozd. (Wilker, Steven) (Entered: 03/08/2021)
03/08/2021	<u>24</u>	MEMORANDUM by Central California Baking Company, Mountain States Bakeries LLC, United States Bakery in SUPPORT of <u>23</u> Motion to Change Venue. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4)(Wilker, Steven) (Entered: 03/08/2021)
03/09/2021	<u>25</u>	MINUTE ORDER signed by District Judge Dale A. Drozd on 3/9/2021: (Text Only Entry) The parties are advised that pursuant to General Order No. 617, addressing the public health emergency posed by the coronavirus (COVID-19) outbreak, <b><u>all civil motions set for hearing before District Judge Dale A. Drozd will be decided on the papers.</u></b> The parties should not contact Judge Drozd's chambers to inquire about whether a hearing on a pending motion will be held. If the court determines that a hearing is necessary, the court will issue an order to specially set the motion for hearing by telephone or video conference. In accordance with Judge Drozd's Standing Order in Light of Judicial Emergency in the Eastern District of California, the hearing date selected by the movant will continue to govern the deadlines for opposition and reply briefs pursuant to Local Rule 230(c). (Thorp, J) (Entered: 03/09/2021)
03/23/2021	<u>26</u>	OPPOSITION by Board of Trustees of the Bakery and Confectionery Union and Industry International Pension Fund to <u>18</u> Motion to Dismiss. (Shiffrin, Joshua) (Entered: 03/23/2021)
03/23/2021	<u>27</u>	RESPONSE by Board of Trustees of the Bakery and Confectionery Union and Industry International Pension Fund to <u>23</u> Motion to Change Venue. (Shiffrin, Joshua) (Entered: 03/23/2021)
03/30/2021	<u>28</u>	REPLY by Central California Baking Company, Mountain States Bakeries LLC, United States Bakery re <u>18</u> Motion to Dismiss. (Wilker, Steven) (Entered: 03/30/2021)
03/30/2021	<u>29</u>	REPLY by Central California Baking Company, Mountain States Bakeries LLC, United States Bakery re <u>23</u> Motion to Change Venue. (Wilker, Steven) (Entered: 03/30/2021)
04/22/2021	<u>30</u>	ORDER GRANTING <u>23</u> Unopposed Motion to Transfer Venue, signed by District Judge Dale A. Drozd on 4/21/2021. <i>CASE TRANSFERRED to the United States District Court for the District of Oregon.</i> (Rivera, O) (Entered: 04/22/2021)